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April 30, 2019

Via ECF

Honorable Douglas E. Arpert, U.S.M.J.
Clarkson S. Fisher Federal Bldg. & U.S. Courthouse
402 E. State Street
Trenton, NJ 08608

**RE: *Lawson, et al v. Praxair, et al*
Civil Action No. 3:16-cv-02435**

Dear Judge Arpert:

This firm is counsel to the Plaintiffs in the above captioned matter. This letter is submitted with respect to Your Honor's Order of April 15, 2019 regarding the appointment of a Special Master (ECF 187).

The Plaintiffs request that the Order of appointment permits the Special Master to hear all discovery disputes pertaining to this litigation. The Court recognized in its Order dated April 15, 2019 (ECF 187) that this case has been vigorously litigated and numerous discovery issues continue to be litigated. This Court recognized that the required level of case management is untenable given the burdens currently on the District of New Jersey. The untenable burdens that this unusual and particularly complicated litigation create for an already overburdened Court cannot be eliminated unless the Special Master is provided with complete authority over all discovery disputes in this lawsuit. As such, the Plaintiffs request that the appointment of the Special Master be consistent with the Court's stated intention to provide the Special Master with all of the authority specified by Fed. R. Civ. P. 53(c). The Special Master should have complete ability to investigate and make enforcement decisions about all discovery disputes in this litigation.

The Plaintiffs request that: The Special Master be permitted to communicate ex parte with the Court but not with any of the parties; all written submissions to the Special Master should be preserved along with a stenographic record of all proceedings before the Special Master; the special master should be directed to make all decisions expeditiously in order to move the litigation forward as quickly as possible; and the materials preserved by the Special Master should be filed electronically on the docket along with the Special Master's report

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containing the Master's findings and Orders. Finally, the Plaintiffs request that the Order appointing the Special Master dictates that the compensation of the Special Master be levied against the party losing each discovery dispute.

Respectfully submitted,

Sheridan & Murray, LLC

/s/ Christopher D. Hinderliter
CHRISTOPHER D. HINDERLITER

cc: **Via ECF**
All counsel of record